

Legacy Land Conservation Program 2008 Grant Recipient Guidelines

The purpose of this guide is to assist grant recipients in anticipating and planning for the requirements of the Legacy Land Conservation Program, however, this guide is informal and the contents are subject to change. Please contact the Legacy Land Conservation Program at (808) 586-0921 with any questions. Mahalo!

PRIOR TO FINAL AWARD:

NONPROFIT AND COUNTY AWARDEES:

1. Offer letters. Letters of offer, to be signed *may* be used solely for the immediate encumbrance (under a blanket encumbrance) of funds if the award occurs close to the end of the fiscal year.
2. Contract. The Awardee must enter a Grant Agreement between the Awardee and BLNR, and must supply all required forms (e.g., tax clearance, certificate of good standing, corporate authorization, and other corporate documents). This contract clarifies the conditions under which BLNR grants and the Awardee accepts the LLCP funding.
3. Title report review and appraisal certification. A current title report of the property interest to be acquired must be obtained and approved through the Department of Land and Natural Resources, Land Division (“LD”). An appraisal of the property interest to be acquired must be done and certification obtained through LD, with final approval by the Chairperson of the Board of Land and Natural Resources. AWARDEE shall first supply LD a current title report, then contact the LD Appraisal Manager regarding certification requirements prior to issuing appraisal instructions for a new appraisal or ordering an update of a pre-existing appraisal.
4. Reduction of award. The portion of an award that is to be directly used for purchase of the interest in property being acquired may be reduced to reflect any difference between the initial estimated value of the property and the appraised fair market value of the property as reported by a DLNR-certified appraisal. Funds will not be disbursed to awardees acquiring property at a price greater than the fair market value of the property, as determined by a DLNR-certified appraisal.
5. Matching funds. Evidence of matching funds must be provided to LLCP. Please use the form provided by LLCP.
6. Escrow. The use of escrow is required. Funds that are to be used for the purchase of property may be deposited directly into escrow by LLCP.

7. Title insurance. As of the 2008-2009 (Fiscal Year 2008) grant cycle, AWARDEES must obtain title insurance in the full amount of the purchase price, insuring that the title to the Property is vested in the AWARDEE.
8. Accounting. Awardee must provide an accounting of all LLCP grant funds to be expended, evidenced by supporting documentation. Please use the form provided by LLCP.
9. ESA. One or more Environmental Site Assessment(s) (ESA) may be required.
10. H.R.S. Ch. 343 compliance. An Environmental Assessment and/or Cultural Assessment (Pursuant to H.R.S., Chapter 343) may be required.
11. Deed. The AG's office must review and approve a copy of the proposed deed prior to execution is required. Baseline documentation and other supporting documentation may be required.
12. Resource value documentation. AWARDEE shall submit a written statement and photographs that reflect the status and condition of the resources for which the land is to be protected at the time of acquisition. The statement shall be certified by AWARDEE and the photographs shall be taken from identifiable locations on the Property. Resources cited in the application and either aerial or panoramic views must be included. Please use the form provided by LLCP.

STATE AWARDEES: State agencies that are receiving awards will work with DLNR's LD to complete the acquisition, and are subject to any documentation or reviews required by LD. State agencies that do not conduct acquisitions through DLNR LD will be subject to the above-listed requirements for nonprofit and county awardees.

POST-AWARD:

STATE, NONPROFIT, AND COUNTY AWARDEES:

1. A copy of the executed and recorded deed must be sent to LLCP.
2. A copy of the documentation of the escrow transaction, if not already submitted, must be sent to LLCP.
3. After the award is complete, the LLCP may continue to monitor:
 - a. The Awardee and any additional managing entities to ensure:
 - i. cooperation with Chapter 173A, H.R.S., deed provisions, and terms of grant contract
 - ii. financial and organizational capacity to hold and manage property interest and resources
 - b. The area of the acquired property interest to ensure resource values are being protected according to the terms of the Grant Agreement and

Chapter 173A, H.R.S. This monitoring may be done through site visits to the property.

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